

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-03 INR-07 L-02 ACDA-05

NSAE-00 PA-01 PRS-01 SP-02 USIA-06 TRSE-00 SAJ-01

OMB-01 SS-15 NSC-05 IO-10 /072 W

----- 099524

R 281645Z FEB 75

FM AMEMBASSY NICOSIA

TO SECSTATE WASHDC 1281

INFO AMEMBASSY ANKARA

C O N F I D E N T I A L NICOSIA 0845

E.O. 11652: GDS

TAGS: CPRS PFOR CY TU US

SUBJ: PROPERTY CLAIMS IN CYPRUS

REF: A. NICOSIA 0786; B. NICOSIA 0650; C. NICOSIA 0380;

D. ANKARA 1643

1. SUMMARY: EMBASSY CONTINUES ADVOCATE EARLY REPLY TO ATA NOTE. PROTECTION U.S. PROPERTY A LEGAL RESPONSIBILITY WE CANNOT SHIRK. UNTIL GOT REALIZES IT WILL HAVE TO PAY FOR DEPREDATIONS, SITUATION UNLIKELY IMPROVE. ALSO, GOT SHOULD BE PLACED ON NOTICE THAT WE CONTINUE SUPPORT CYPRUS INTEGRITY. END SUMMARY.

2. EMBASSY CONVINCED WE CANNOT DELAY OFFICIAL REPLY TO ATA NOTE RE PROCEDURES ON PROPERTY CLAIMS MUCH LONGER WITHOUT COMPROMISING OUR ABILITY PROTECT AMERICAN CITIZENS AND UNDERMINING OUR POLITICAL POSITION VIS-A-VIS INTEGRITY OF CYPRIOT STATE. AS NOTED PARA 5 REF (B), ATA NOTE ESTABLISHES ARBITRARY DEADLINES BY WHICH DATE FOREIGNERS MUST "REGISTER PROPERTY" OR RISK CONSEQUENCES. IN CORPORATE CASES THIS DEADLINE IS ONLY ONE MONTH AWAY.

3. TURK CYPRIOT OFFICIALS ARE NOW TAKING POSITION THAT PROPERTY IS NOT REPEAT NOT REGISTERED SO LONG AS OWNER HAS NOT REPEAT NOT FILED FORMAL APPLICATION AND PAID CY 5.000 FEE FOR "TITLE SEARCH." APPEARS THAT TURKS, AGAIN, ARE ESCALATING IN EFFORT GAIN RECOGNITION AND THAT "TIMELY NOTIFICATION" WILL NOT REPEAT NOT SUFFICE

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NITION AND THAT "TIMELY NOTIFICATION" WILL NOT REPEAT NOT SUFFICE

TO PROTECT AMERICAN PROPERTY. AS DEPARTMENT WILL APPRECIATE, WE HAVE LEGAL RESPONSIBILITY TO PROTECT THIS PROPERTY.

4. ADDITIONALLY, DESPITE NOTIFICATIONS BOTH HERE AND IN ANKARA, TURKISH AND TURK CYPRIOT OFFICIALS CONTINUE IGNORE AMERICAN PROPERTY RIGHTS. SOUTHERN MIGRANTS HAVE BEEN MOVED INTO AMERICAN HOMES DESPITE OUR OBJECTIONS; WE HAVE NOT REPEAT NOT BEEN PERMITTED INVENTORY EFFECTS OF THESE HOUSES; AND WHOLESAL LOOTING OF MOVEABLE AMERICAN PROPERTY CONTINUES. UNTIL TURKISH GOVERNMENT IS PLACED ON OFFICIAL NOTICE THAT WE WILL HOLD IT FINANCIALLY ACCOUNTABLE FOR DEPREDATIONS, SITUATION UNLIKELY IMPROVE.

5. LONGER WE DELAY REPLYING TO ATA NOTE, MORE AMBIVALENT BECOMES OUR POSITION AS TO WHICH INSTITUTION CONSTITUTES "RESPONSIBLE AUTHORITY" IN NORTHERN CYPRUS. WHILE GOT MAY RESENT FACT THAT OTHERS REGARD IT AS "OCCUPYING POWER", AND DEPARTMENT MAY WISH USE OTHER FORMULATION, THIS IS PRECISELY THE ROLE WHICH TURKEY HAS CARVED OUT FOR ITSELF ON ISLAND. THIS FACT AMPLY DOCUMENTED BY THIS EMBASSY'S PREVIOUS REPORTING ON SPOT.

6. IN OUR VIEW, USG INVOLVEMENT IN SEARCH FOR CYPRUS SETTLEMENT ARGUES FOR, RATHER THAN AGAINST, EARLY REPLY TO ATA NOTE. IN PRACTICAL WAY THIS WILL PLACE GOT ON RECORD THAT WE CONTINUE SUPPORT AN INTEGRATED CYPRIOT STATE AND DO NOT INTEND ACCORD INDEPENDENT STATUS TO ITS CREATION IN NORTHERN PART OF ISLAND. CRAWFORD

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